

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

RODNEY C. VILLAZOR (NYBN 4003596)  
Assistant United States Attorney

1301 Clay Street, Suite 340-S  
Oakland, CA 94612  
Telephone: (510) 637-3689  
Fax: (510) 637-3724  
E-mail: [rodney.villazor@usdoj.gov](mailto:rodney.villazor@usdoj.gov)

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND BRANCH

UNITED STATES OF AMERICA, ) No. MJ 12-71312 MAG

Plaintiff, )

v. )

JOHN LEE COBB, )

Defendant. )

STIPULATION AND ~~PROPOSED~~  
ORDER TO SET PRELIMINARY  
HEARING OR ARRAIGNMENT  
ON MARCH 8, 2013

The above-captioned matter was previously set on February 4, 2013 before Magistrate Judge Donna M. Ryu for a preliminary hearing or arraignment. The parties request that this Court set this matter for a preliminary hearing or arraignment on March 8, 2013 at 9:30 a.m., and that the Court exclude time under the Speedy Trial Act between February 4, 2013 and March 8, 2013. The parties stipulate that the time is excludable from the time limitations of the Speedy Trial Act because the interests of justice are served by granting a continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

STIPULATION AND EXCLUSION OF TIME  
MJ 12-71312 MAG

1 Such continuance is required because the government has produced discovery, and  
2 defense counsel needs time to review the discovery and, in addition, research legal and  
3 factual issues. This continuance will allow the reasonable time necessary for effective  
4 preparation taking into account the exercise of due diligence.

5 As such, the parties respectfully request that the time between February 4, 2013  
6 and March 8, 2013 be excluded under U.S.C. § 3161(h)(7)(A) and (B)(iv).

7  
8 DATED: January 31, 2013

Respectfully submitted,

9 MELINDA HAAG  
United States Attorney

10 /s/  
11 RODNEY C. VILLAZOR  
Assistant United States Attorney

12 /s/  
13 JOYCE LEAVITT  
Attorney for John Lee Cobb  
14

15 **ORDER**

16 Based on the reason provided in the stipulation of the parties above, the Court  
17 hereby FINDS that for adequate preparation of the case by all parties, and in the interest  
18 of justice, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), an exclusion of time is  
19 warranted under the Speedy Trial Act. Based on these findings, IT IS HEREBY  
20 ORDERED THAT the hearing is continued until March 8, 2013 at 9:30 a.m. before the  
21 Magistrate Court, and time is excluded until March 8, 2013.

22  
23 **IT IS SO ORDERED.**

24 DATED: 1/30/13

25 Kandis Westmore  
KANDIS A. WESTMORE  
United States Magistrate Judge  
26  
27  
28

STIPULATION AND EXCLUSION OF TIME  
MJ 12-71312 MAG